

1 JASON M. FRIERSON  
2 United States Attorney  
3 Nevada Bar No. 7709  
4 KIMBERLY M. FRAYN  
5 Assistant United States Attorney  
6 501 Las Vegas Boulevard South, Suite 1100  
Las Vegas, Nevada 89101  
Tel: (702) 388-6336  
Fax: (702) 388-6418  
[Kimberly.Frayn@usdoj.gov](mailto:Kimberly.Frayn@usdoj.gov)  
*Attorneys for the United States*

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8 **UNITED STATES DISTRICT COURT**  
**DISTRICT OF NEVADA**

9

10 UNITED STATES OF AMERICA,  
11 Plaintiff  
12 v.  
13 MIKAELA MARIE CUEVAS,  
14 Defendant

Case No. 2:22-CR-00286-CDS-BNW

**STIPULATION FOR PRE-SENTENCE  
PAYMENT TOWARD RESTITUTION**

15 The parties, pursuant to 28 U.S.C. §§ 2041-2042, hereby stipulate to the pre-  
16 sentence deposit of funds to be withdrawn and applied toward Defendant Mikaela Marie  
17 Cuevas's restitution amount in this matter at the time judgment is entered. The stipulation  
18 is based on the following:

19 1. On February 23, 2023, Defendant Mikaela Marie Cuevas ("Cuevas") was  
20 charged by way of an Information upon a Waiver of Indictment with one count of Wire  
21 Fraud in violation of 18 U.S.C. §1343. ECF 7 and 10.

22 2. That same day, pursuant to a written plea agreement, Cueva pled guilty to  
23 the one count Information charging her with Wire Fraud in violation of 18 U.S.C. §1343.  
24 ECF 9 and 10.

1       3. Pursuant to the Plea Agreement, Cuevas agreed to “pay full restitution to the  
2 victims of the offense to which defendant is pleading guilty. ... In particular, defendant  
3 agrees that the Court may order restitution to any victim of any of the following for any  
4 losses suffered by that victim as a result: (a) any relevant conduct, as defined in USSG §  
5 1B1.3, in connection with the offenses to which defendant is pleading guilty; and (b) any  
6 charges not prosecuted pursuant to this agreement as well as all relevant conduct, as  
7 defined in USSG § 1B1.3, in connection with those charges.” ECF 9 at paragraph 5. She  
8 also agreed to “pay the full restitution amount as determined by the government to the US  
9 District of Nevada Clerk of Court after entering her guilty plea and before the sentencing  
10 hearing. As to any remaining restitution outstanding at the sentencing hearing, defendant  
11 agrees that any schedule of payments entered by the district court is a schedule of the  
12 minimum payment due and does not prohibit or limit the methods by which the USAO  
13 may immediately enforce and collect the judgment in full.” ECF 9 at paragraph 1(k).

14       4. The government has determined that Cuevas has agreed to pay the full  
15 restitution amount of \$46,890.31, which is currently owed by her as of April 18, 2023.

16       5. The parties have conferred and hereby stipulate to the pre-sentence deposit  
17 of restitution funds with the Clerk of Court, to be held until the Judgment is entered in this  
18 matter by the Court.

19       6. The parties seek an order directing the Clerk of Court to accept Cuevas’s pre-  
20 sentence payments for restitution. Pursuant to 28 U.S.C. § 2041, the Clerk of Court is  
21 authorized to accept and hold such funds on behalf of Cuevas until the time of sentencing,  
22 which is currently scheduled for May 24, 2023. Further, pursuant to 28 U.S.C. § 2042, the  
23 parties request an order that upon the entry of a criminal judgment in this case, the Clerk of  
24 Court is to withdraw and apply the deposited funds to the criminal financial obligations,  
including restitution, imposed against Cuevas in the sequence established in 18 U.S.C. §  
3612(c).  
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1       7. Cuevas may submit payment by cash, cashier's check, or money order made  
2 payable to "Clerk, U.S. District Court" with "2:22-CR-00286-CDS-BNW" noted on each  
3 payment mailed or delivered to:

4                   Clerk of the Court, District of Nevada  
5                   333 Las Vegas Boulevard, South  
6                   Room 1334  
7                   Las Vegas, Nevada 89101

8                   WHEREFORE, the parties stipulate for an order directing the Clerk of Court to  
9 accept pre-sentence payments to be held on deposit until judgment is entered, and  
10 thereafter applied toward the criminal monetary penalties, including restitution, imposed  
11 in this matter as provided by law and in accordance with the Clerk's standard operating  
procedures.

12                   Respectfully submitted this 19th day of April, 2023.

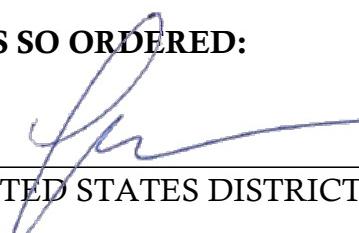
13                   JASON FRIERSON  
14                   United States Attorney

15                   /s/ Kimberly M. Frayn  
16                   KIMBERLY M. FRAYN  
17                   Assistant United States Attorney

18                   RENE L. VALLADARES  
19                   Federal Public Defender

20                   /s/ Aden Kebede  
21                   ADEN KEBEDE  
22                   Assistant Federal Public Defender  
23                   Attorney for Defendant CUEVAS

24                   **IT IS SO ORDERED:**

25                     
26                   \_\_\_\_\_  
27                   UNITED STATES DISTRICT JUDGE

28                   DATED: April 20, 2023